

BEFORE THE OFFICE OF CAMPAIGN FINANCE
DISTRICT OF COLUMBIA BOARD OF ELECTIONS AND ETHICS
FRANK D. REEVES MUNICIPAL BUILDING
2000-14th STREET, N.W., SUITE 420
WASHINGTON, D.C. 20009
(202) 671-0550

IN THE MATTER OF)	DATE: September 23, 2003
)	
Erica T. Minor)	DOCKET NO.: 03F-031
Supervisory Personnel Management)	
Specialist (Former))	
DC Department of Personnel)	
1749 North Portal Drive, NW)	
Washington, DC 20012)	

ORDER

Statement of the Case

This matter came before the Office of Campaign Finance (hereinafter OCF) Office of General Counsel following a determination by its Public Information Records Management Division, that pursuant to the D.C. Code §1-1106.02 (2001 Edition), Erica T. Minor, Supervisory Personnel Management Specialist, DC Department of Personnel, failed to timely file, a Financial Disclosure Statement for calendar year 2002, on or before May 15, 2003 as required by D.C. Official Code §1-1106.02 and also failed to file on or before the OCF sanctioned extended filing deadline of June 19, 2003.

By Notice of Hearing, Statement of Violations and Order of Appearance dated August 6, 2003, OCF ordered Erica T. Minor (hereinafter respondent), to appear at a scheduled hearing on August 15, 2003 and show cause why she should not be found in violation of the D.C. Campaign Finance Reform and Conflict of Interest Act of 1974, as amended by D.C. Official Code §§1-1101.01 et seq., and fined accordingly.

Summary of Evidence

OCF alleges that the respondent failed to timely file the statutorily required Financial Disclosure Statement for calendar year 2002, on or before June 19, 2003.

On August 27, 2003, OCF received a written statement from respondent stating this is the first time she has been required to file an FDS with OCF. Respondent stated she no longer is employed by the Office of Personnel. Respondent transferred to the Department of Parks and Recreation (Department) as a Human Resources Administrator on July 28, 2002. Respondent further stated that during the required filing period, she

IN THE MATTER OF: Erica T. Minor

Page 2

had the overwhelming task of hiring 500 individuals for the Department's Summer Program, that she worked without staff, and that she was required to personally monitor all program activities. Respondent filed the required FDS on August 27, 2003.

Findings of Fact

Having reviewed the allegations and the record herein, I find:

1. Respondent was appointed as a Management Supervisory Service (MSS) employee on August 27, 2000.
2. Respondent transferred from the Department of Personnel to the Department of Parks and Recreation on July 28, 2002.
3. Respondent was required to file a Financial Disclosure Statement with OCF for calendar year 2002, on or before June 19, 2003.
4. Respondent filed the required Financial Disclosure Statement on August 27, 2003.
5. Respondent is a first-time FDS required filer.
6. Respondent provided a credible explanation for the filing delinquency in that this was the first time she was required to file an FDS; and that she was involved in matters relative to her position as Human Resources Administrator for the Department of Parks and Recreation.
7. Respondent is currently in compliance with the statute.

Conclusions of Law

Based upon the record provided by OCF, I therefore conclude:

1. Respondent violated D.C. Official Code §1-1106.02.
2. The penalty established at D.C. Official Code §1-1103.05(b)(3), and 3 DCMR §§3711.2(aa), 3711.2 and 3711.4 for failure to timely file a Financial Disclosure Statement required by D.C. Official Code §1-1106.02 is a fine of \$50.00 per day for each business day subsequent to the due date.

IN THE MATTER OF: Erica T. Minor
Page 3

3. In accordance with D.C. Official Code §1-1103.05(b)(3), the respondent may be fined a maximum of \$2,000.00 for failing to timely file a Financial Disclosure Statement.
4. For good cause shown pursuant to 3 DCMR §3711.6, the Director of Campaign Finance (Director) may modify, rescind, dismiss or suspend any fine.
5. Respondent's explanation for failing to timely file constitutes good cause for suspension of the fine.

Recommendation

In view of the foregoing and information included in the record, I hereby recommend that the Director suspend the imposition of the fine in this matter.

Date

Jean Scott Diggs
Hearing Officer

Concurrence

In view of the foregoing, I hereby concur with the Recommendation.

Date

Kathy S. Williams
General Counsel

ORDER OF THE DIRECTOR

IT IS ORDERED that the fine in this matter be hereby suspended.

Date

Cecily E. Collier-Montgomery
Director

SERVICE OF ORDER

This is to certify that I have served a true copy of the foregoing Order.

Rose Rice
Legal Assistant

NOTICE

Pursuant to 3 DCMR §3711.5 (1999), any fine imposed by the Director shall become effective on the 16th day following the issuance of a decision and order, if the respondent does not request an appeal of this matter. If applicable, within 10 days of the effective date of this order, please make a check or money order payable to the D.C. Treasurer, c/o Office of Campaign Finance, Suite 420, 2000-14th Street, N.W., Washington, D.C. 20009.